But a
595 /35 cont./ contrast vigorous in other ways sets
184 Seksawa as a bloc, as well as in addition all their neighbors of
171 the Dir of Imintanout, against the Arab tribes of the plain, such
as the Ud Besseba^c, essentially polygamous. A recent study has
589 even revealed an incontestable fact in these mountains: the
frequency of celibacy. In relation to married people, and including nubile adolescents, widows, and divorced persons, there would be a third of the men single, half of the women. Nothing can be established from such figures, lacking a specialized investigation. But they should at least be noted here for the lie that they directly give to certain preconceived ideas.

562 All the Seksawa women have the storeroom keys. They de-
[343] mand them. Whoever refuses them to them sees them abandon
[712] the conjugal life, which is ridiculous and costly for the frustrated
[593] husband. Public opinion attributes this trait to a character prone to domestic disputes, but which they know how to make up for by other talents: that of sorceress, for example, or of clever champion at trials, or again, as the adage says, of nocturnal beauty capable of furnishing during the day the work of a beast of burden! Finally, she is a Tasseksiwit: and that suffices. The tribe com-
184 ments, with an amused and secretly admiring indulgence, on
343 these traits, which, it thinks, differentiate it from all its neighbors:
712 the Gedmiwa or those beyond the Tichka. For example, the Idaw
[829] Kais or the a. Tkssit, among whom, it is said, ten to fifteen foyers can live together without quarreling, or these Idaw Mh'mud where the masculine institution of the agadir /collective storehouse/ flourishes (1).

1. There is only one agadir operating among the Seksawa, that of Ikis. Remains of a ruined agadir at Iguntar. Cf. Lieut. P. Dupas, "Note sur les magasins collectifs du Haut Atlas occidental /Note on the collective storehouses of the western High Atlas/," Hesp., 1929, pp. 303 sq. A
The wealth of the I. Mh'mûd in agadir-s contrasts with the quasi-absence of them among the Seksawa, where there were some perhaps, if one

A, [See 3: Dupas, this file--Analyst]
1

/35 cont./

184 343 712 /footnote 1 continued/ believes the toponymy, but in an extremely old epoch. What is therefore characteristic of the Seksawa is not the existence, but the nonexistence of the agadir, at least for the modern epoch.

[562] In the agadir, in fact, it is the man exclusively who holds the key to the accommodations for grain; and again his managership is exercised in a communal harmony, which accentuates its extra-domestic character. Elsewhere, in Nfifa, in Mez'ud'a, a fortiori among the Ud Besseb[c] Arabs, it is "the family head" who administers the reserves. The latter, moreover, are often ensilaged outside of the dwelling. This family head is generally the elder of the house. Periodically he distributes to the couples living together in the tigemmi provisions that are individually prepared in most cases.

[171]

184 178 592 In Mtugga it is estimated that half of the families practiced, before the Protectorate, a simultaneous community /36/ of habitat and of cuisine. But an evolution has forced its way through. If the elder still holds the key to the reserves, only a tenth of the families remain faithful to the single table. On the other hand, the large house has fallen into disfavor. The foyers swarm all around and build for their benefit a lodging that will be their own.

[593] [591] Finally, in the neighboring tribes, such as the I. Buzia, the father abandons the communal house to the sons, builds apart, and then often takes a young wife. This division of regime and of habitat therefore sets in motion some complex phenomena: relations of good form between the old man and his adult sons, the intervention of the "démon de midi" /demon of the prime of life/, which here breaks up the common table and moreover orients the aging man toward secret affiliations.

264 592 There is not necessarily, as one sees, coincidence between the administration of the reserves and the distribution of food. In the plains tribes, in fact, if the former duty falls most often to a single male, the latter is done foyer by foyer, that is to say, by conjugal families in the narrow sense. There still exist some

The woman
593 /37 cont./ naturally enters among those having
[586] rights. Her part is absorbed with that of the spouse in a community which is dissolved only in case of divorce. But, as one sees, the scope of this community is reduced to the conjugal couple. And then it is amenable to precise calculations in case of dissolution.

592 178 Thus, even when the traditionalism of the ensemble or the prestige of one of the members establishes, at the echelon of the whole tigemmi, the unity of the mode of existence, manifested by the common allowance, the economic personality of the couple exists. It has not been one of the least surprises of the investigators for the census of 1952 in this region to verify that the word "foyer," /38/ takat, ar /Arabic/: kânûn, used in the formulary, was understood only as corresponding to the conjugal family in the strict sense: which means that its average number was generally only three, sometimes four, but very rarely five persons, as had been believed up to then. This economic character has evidently been reinforced by recent evolutions: that of the alimentary regime, for example, or that of the possibilities for workers' emigration.

Thus accordingly, and although it fails to note that the montagnards do not attribute the present cutting up of the foyers to any decline, to any change of the mores, this observation
[184] [586] calls for some correctives. The domain of the a. H'adduyws, even though it is characterized by a rarer practice of divorce -- half less than among the Idma, for example -- seems to have remained more faithful to an old tradition of familial aggregates.

425 178 593 There is another point at which a recent evolution has influenced behavior. We shall have to speak in detail of an important patrimonial practice, which the new notarial regime seems to have made rarer. It is a matter of the disposition by the father of all or part of his immovables for the benefit of such and such of his heirs, in general males. The institution, somewhat imprecise today, is called, according to the case, waçiyya, ṣṣadaqa, or even lh'obus. It would be a very interesting study to determine what might be the frequency of these anticipated successoral distributions, if I may venture to say it, by which the

/38 cont./

425 father, of his own accord, puts himself on equal terms with his
178 sons with regard to the ownership of the ancestal fields. This re-
593 search in the archives has not been undertaken. But if the pres-
ent state of affairs cannot contribute sufficient detail on that, because the institution is very much obliterated, the acts of this kind were numerous in the past and seem to reveal a very strong tendency of the mores.

Such equalization between father and son runs counter to everything that one could imagine about a patriarchal culture.
584 But it is to this impression that the great individual initiative that such a society leaves to the young people in the choice of spouse would already lead. Betrothals are free. They are perhaps some-
[178] times made in an atmosphere -- grown very pale today however -- of age groups and communal festivity. They never originate with the parents. The latter are in general requested by the young man or the girl to lend to the agreement their intervention, necessary for a juridical consecration and an integral part of the ceremonial context.

592 If the unconstraint of the adolescent with regard to his
613 father is such, if the autonomy of the couple stands out so vividly in the aggregate of the tigemmi, what will the relations of these conjugal families be with /39/ the larger agnatic ensemble of the ikhs, defined by a nickname or an ancestor's name? The impression is that these relations are conceived -- today in any case -- only from the angle of public law. No law, no morality, and not even good form compels the autonomous citizen, the rrami,
[561] to take the advice of his collaterals. On this point this society is even strangely disrespectful of /Fig. 4 appears here/ /40/ old
[426] age, veneration of which we would attribute to it. For the collateral, in nature, is often the usurper or the creditor, intent upon regrouping the gentilitial patrimony "on his head."

551 Now the individual hardly has a name, if one may say this. The anthroponyms are incontestably poorer here, less varied, than in Arab country. More monotonous, and also more fleeting to hear. Generally, they consist only of brief syllables, the assemblage of which is rarely original. There is no village so modest

[TEXT CONTINUED ON PAGE 57]

597 671 (428) /350 cont./ Trace perhaps of an old principle of magical continuity: the succession is broken by the lack of a link: the grandson does not inherit from the grandfather if the latter has survived the father. In the orthodoxy itself diverse subterfuges have obviated the rigor of this principle. But they have known limitations to which the Seksawa system was not bound any more than its recourse to "substitution," tenzîl, istirkâb, remained in the statistically restricted proportions of the Mussulman institution. But the true problem was elsewhere.

593 671 (881) The great event of the Seksawa family is the arrival of the child, boy or girl, at nubility, which makes him a co-operator. Questions are then found posed, which are all resolved, a remarkable thing, in a spirit, not of patriarchal indivision, but of /351/ accountancy. In effect, filiation creates rights at the same time as it does parents, and indeed beyond the mere capacity to inherit.

593 421 First, a right to benefit from the familial society, and from the share of acquests proceeding from it; over and above this, for the daughter, there is the right to the "dotal marriage settlement," jihaz, to the "trousseau," aruku, at the time of marriage, to maintenance in case of widowhood or need. The son's economic autonomy is accentuated again by the practice of seasonal or permanent emigration. Finally, the separation of the goods, separation of usufruct and administration at the very least, is frequently obtained by the children even during the lifetime of the father. The act then takes the form of a habous, of a ṣṣadaqa or of a waṣiyya. It is an anticipated testament in which often figures the strange stipulation by the constituent of a reserve for his benefit, which seems to imply immediate disseizin of the rest.

593 421 175 /The following two paragraphs are in small type in the original source./ Thus in 1028 Heg.: 1619, at Alus, in Idaw Geryun, a fiqh /sic/ of the a. Umgan and his wife make a donation, ṣadaqa, to their grandchildren, of a property from which they exclude a "margin": the parcel of Taglagelt.

Again at Alus, an act of 1061 Heg.: 1651 describes the distribution of a patrimony among brothers. They operate with all the guarantees of technique and equity: "full agreement,

/351 cont./

593 421 175 evaluations, drawing of lots, convention, measuring." Moreover, the distribution is performed "in front of the jemâa, with the reed, according to the boundaries and by the drawing of lots, and followed by the taking of possession in the presence and under the auspices, bi-wajh, of the father." The latter reserves for himself, the same as the mother, a margin, h'ŝchiya. All this under the presidency of the grandfather, the chaykh /sheik/ Saᶜîd b. ᶜAbdallah. Patriarchal ambiance, but careful about preconstituted proofs, communitarian, but accountable. This double aspect of the Chleuh /Shluh/ institution stands out nearly everywhere.

593 421 Such a practice, in which both the patrimonial permanence and the autonomy of the person are combined, passes only distorted into the acts to which it gives rise. A discordance breaks out at this place between the juridical base and the form that it has assumed: the latter depends on the free disposition, indeed even the liberality, of the father; but it is not very probable that this tie expresses the authentic climate. The latter is indeed one of a veritable right exercised by the son over the father, still alive, in the name of a certain solidarity among them all concerning the ancestral patrimony, and with a view toward freeing the initiative of each rightful claimant in the realization of the "augments," zawâid (1).

1. It happened this very year that in Demsira, taqbilt of the Irohalen, some children came to claim against their father, still alive, the right to divide /this footnote is continued on the following page in the original source/ the land. One finds, in another Moroccan domain, this attempt having passed to the stage of jurisprudence, R. J. cout., No. 2, 1951, pp. 8 sq. (B. Zeggu of Ahermoumou).

To amass, to round out the plot by /352/ progressively nibbling at the slope or the forest, to accumulate from generation to

/352 cont./

593 generation, like new sediments, humble advances that the labor
421 of man realizes, such is the peasant ideal that this classic form of the proceedings reveals. Primus brings against Secundus a chchfŝa resulting from the existence of a habous set up by his great-grandfather. The purchase consented to by the father of Primus, which Secundus is referring to, is then null. But Secundus demonstrates that the foundation only dealt with an area far smaller than the landed property now claimed and that such-and-such extensions were realized, after the habous, by the grandfather and the father. The discussion is then oriented toward verifications of the civil state of the parcels by the production of old "nominative inventories," jrida.

613 The division of labor between these familial co-operators
423 coincides most often with a landed-property indivision that may branch out, over the lapse of several generations, indeed over the whole history of an ikhs, into monstrous juridical arborescences.
[428] The woman inheriting, in principle, on the pattern of the fiqh, the minors and incompetents are then found most often enlisted in vast agnatic solidarities, whose abuses find a corrective in the insecurity of established situations, imprescriptibility of rights, and criticism of origin to which this milieu untiringly delivers any possessions. Here again a sort of equilibrium at term is realized. In time it is true: and several generations sometimes pass before there is recovery. The disappearance of such-and-such individuals, of such-and-such families, by "extinction," for example, inqirâd', a theme that recurs quite often in the old acts, is not free from ending in the constitution of a certain margin of "goods without master," closely inventoried moreover in the consciousness of the group, and which, tacitly, are the appanage of the powerful of the day. Premium for individual appetites, and rudiment of a domainal one.

613 Thus individual depredation and communal constraint encircle
671 the life of the ikhs. The modern law of the Seksawa has perhaps made out of the exuberance relations of action and of reaction established, on both sides of the ikhs, by these two rivals. Doubtlessly the gentilitial structure, evoked by unwritten laws of the

/317 cont./

*631 of Tazenakht, has completely disappeared since the masters of
*634 Telwet reduced the whole confederation of the Aît Waouzgit to
175 servitude; but we know at least that the last of these amghars
616 exercised their command in the manner of their Tazenakht
[178] neighbors; two brothers united to deal with the affairs that interested the two leffs; each side could thus find an advocate devoted to its interests in the very family of the amghars, and the decision made afterward in common by the two brothers thus permitted, under the best possible conditions, conciliating the opposing interests.

*631 The common custom in the Sous and in the Atlas of thus
*634 sharing the command between two brothers or two cousins ap-
•593 pears to us to be explained most often by the desire of the chiefs
605 to keep a fair balance between the leffs or the hostile soffs within
182 their tribes. Such a practice is possible only for chiefs who have
616 succeeded in dominating and conciliating internal rivalries (1).
[578]

1. Perhaps one should also see there an Arab influence explicable among the tribes adjacent to the Sahara. The government of a tribe entrusted to two brothers and, as a consequence, later to two branches of the same family at once is in the tradition of the desert. Cf. G. Marçais, Les Arabes en Berbérie /The Arabs in Barbary/, p. 704.

*634 VI. The tribal chief rises above the leffs. -- All these examples chosen in the western Haut-Atlas /High Atlas/ and the country of the Sirwa enable us to understand clearly how the amghar, chief of a canton, manages the conquest of a tribe.

As long as the Berbère /Berber/ chief remains the champion of a leff, his power is based on the existence of social forces independent of his will and which he directs only imperfectly. The resources that he can draw from war are moreover limited, for he
*[631] must give his allies their share of the booty. Consequently, when
[648] he has not gone beyond that lower degree of authority, he often

/362 cont./

*631 Aside from the most avowed enemies whom he has forced into exile, the great kaid has on the spot all the adversaries whom his incessant abuses have created for him. He himself does not have, as we know, a feeling for exercising within his command the charge of the government of the tribes, but he seeks only to bring to bear a domination that he wants as productive as possible; the notion of the public good is foreign to him; his companions, whose support is /363/ indispensable to him, are usually still more greedy and their attachment to the common cause often depends only on the profits that they count on reaping from the support given to the master.

*631 578 669 The abuses resulting from this state of mind exasperate the latent antagonism that we have already observed between the despotic power of the amghar and the democratic and egalitarian feeling of the masses; revolt is ready to spring up again in the tribes at the first embarrassment of the kaids; indeed, one observes that it breaks out on the frontiers of the command as soon as a piece of bad news for the chief, true or false, spreads in the country.

*631 593 In addition, another cause of weakness that does not cease to assume greater importance with time is the predilection for discord and intrigue in the very family of the kaid. The large number of children, the rivalry of the wives facilitate disagreements that soon end in the dispersion of authority. This, as one knows, is one of the most active ferments of anarchy within the Mussulman states. Islam, in growing stronger in the mountains, brings it with it to the Berbères /Berbers/ in their small commands.

*631 The great chief of the Atlas -- at least at the time when France has not yet guaranteed his authority -- knows all these reasons for fearing the future; he lives in uneasiness, the fear of the dagger or poison; immense tribal contingents follow him to war today, but he knows that perhaps tomorrow he will have no more to protect him in the "siba" than a handful of brothers and his faithful slaves. One quite well imagines under these conditions the terror that could have been cast into the hearts of the mountain lords in 1912 by the preaching of the "blue men," Arabs from

*631 195 648